WILL TAKE PART

ESTABLISHED 1876.

RALEIGH, N. C., WEDNESDAY, FEB. 10, 1909.

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GOVERNOR SENDS SPECIAL RED HOT "TRUST" MESSAGE MARKET COTTON

Into Platform As Grandstand Play

WANTS EFFECTIVE LAW

Governor Kitchin Urges the Passage Thing and Insists on Its Passage-

ing message to the general assembly: To the Honorable, The General Assembly of North Carolina.

of private industrial monopolies com- because the dominant party is ground for hope that with our conspiracy, be made criminal. present anti-trust law properly amended and effective machinery proor render the law enforceable. I concaive that whatever difficulty exists, is largely in the machinery for its able legislators thoroughly considered the difficulty of the state's coping

"Private monopolies should be destroyed. Conspiracies by prospective should be punished."

The opportunity has come to make You are face to face with the democratic convention. Two alternathat duty and have the satisfaction pledge; the other to ignore the instructions of the people, and shoulder the burden of justifying your not, and will not be goaded into or deterred from action. Threats and

criminal can be justified only in case, confer upon the attorney general the whose fury has not been exceeded in company. it can be clearly demonstrated that duty of undertaking its enforcement, years is raging through the norththe convention was wrong in adopt- and of selecting the venue subject to west and the Mississippi valley, and March 5th and show cause why a reing such a platform. While the en- the power of the court to removal in is even hovering over the Gulf of celver should not be appointed. actment of a law making such con- its discretion, for proper cause, and Mexico. Reports of the extraordinary spiracies criminal, has been ordered of giving him every proper authority extent of the disturbance come from by the people, it may be assumed of securing evidence, including the various parts of the country. that the people did not, and do not compulsory production of books and Blizzards in the northern sections J rayne, president of the company. desire anything which is essen ally papers, the examination of witnesses have vied with electrical storms in wrong, or contrary to their interests. prior to trial, and all other powers ap- the southern in creating havoc. Tel-The proposition was not a new one. propriate to the full discharge, of egraphic communications in some in-The proposition was not a new one. propriate to the full discharge of egraphic communications in some iney in the press, and generally by the law. people throughout the state. That, plank was not inadvertently included, in the platform, but was deliberately inserted as a democratic doctrine. The presumption should be, and is fundamentally right, as such presumption must attack to the well I considered judgment of a majority of the people. Therefore, if its enforce ment into law is resisted, the obligation is upon the opponents to show the error of its principle, or the injustice of its policy.

A mere statement of the proposition that a conspiracy by purchasers tion that a conspiracy by purchasers less via New Orleans)—The scout to put down the price of an article cruiser Birmingham with Presidentproduced by the labor of others, is elect Tart aboard, has arrived off the silver 51%, decline &c. Mexican dol- The gas had escaped from a furnace wrong, is so clear and convincing in Mississippi passes.

legislative body. Every community which produces more than its people consume, must suffer the oppression that comes from any artificial depression of the price of its products. A community producing peanuts, cotion, tobacco, wheat, lumber, or other article in excess of its own consumption of such article, its unjustly den its industrial development, weakened in its revenues, injured in is educational progress, and crimpled in president Changes S. Barrett, of the While the Inauguration of William Among the New Bills Introduced Toof a More Stringent Anti-Trust all its social life, by any conspiracy of Law-"Sub-section A" the Proper Treen or corporation, which puts down the price of such Adiele. The univer-Trust Plank in the Platform is a vally acknowledged principle of self Party Pledge That Must be Kept— defense, applicable to states as indi-Present Law Cannot be Enforced, viduals, would destroy a conspiracy According to Opinion-Difficulty so damaging in its effect and so genin Machinery For Its Enforcement, eral in its blight. The duty of repressing wrong and protecting those Governor Kitchin sent the follow- who cannot protect themselves, requires the law makers to put the

whole power of the state against such conspiracies. I therefore recommend that the general assembly comply It is needless to repeat at this time with that declaration, because it is facts and arguments showing the evil right and ought to be the law, and monly called trusts. Few advocates pledged to its enactment; and I also them, and fewer, perhaps, think them recommend that the putting down or right. Probably the greatest legisla- keeping down by purchasers of the tive and legal problem of this gen- prices of articles produced by the laeration is how to repress them. There hor of others, in pursuance of such

Fear of the wrath of those who violate a moral principle and who vided for its enforcement, we can threaten if the legislature of the protect ourselves partially from trust State of North Carolina complies evils, and perhaps so far as a state with the wish of her majority, to tralize the control of the entire cot- ing to participate in the ceremonies. can protect her people from them. Punish the communities already in An opinion has been placed before their grasp, rather than obey the the people in the press, that the press laws, should not affect the judgment ent law cannot be enforced, though or paralyze the efforts, as it cannot nothing was suggested to strengthen nullify the duty of those whom the people have chosen to do their will. Assuming, as I do assume, that the general assembly will amend the law enforcement. Two years ago many in accordance with the specific platform utterances, I recommend that anti-trust legislation. All realized the attorney general be given the charges made against three officers erate division will be formed as an with the evil against which their ef- institute action, civil or criminal, in Postmaster-General Meyer has served forts were aimed. A bill was con- the superior courts of this state in notice that he would allow them 10 sidered, which by its supporters was Wake county, or in any other county days in which to defend themselves

the following declaration, and on and favor which the wrongdoers in tion. The complaints are against and Corporation Counsel Pendleton S. B. 658, Senator Elliot: An act that platform the dominant party car- spire and exert in the community. Frank T. Rogers, of Chicago, presi- handed down an opinion announcing to require all political parties to seried the state, securing a majority Local prosecuting officers are under dent of the United Association of as unconstitutional the taking of any lect their candidates for office on the in both senate and house of repre- great disadvantage, not only from lo- Postoffice Clerks; William E. Kelly, property of the city beyond the same day. Election Law. cal prejudice and favor, but from of Brooklyn, N. Y., president of the lack of facilities and time for needful National Association of Letter-Carpreparation. If the enforcement of riers, and E. H. Roberts, of this city, purchasers to put down or keep down this law is unfortunately left solely representing the Railway Postal expedition had been planned by Bing- stead exemption laws. Constituthe prices of articles produced by the to solicitors, and they remain on the Clerks. labor of others, should be made unfortunate fee basis, then the fee In the case of Messrs. Kelly and criminal, and all persons or corporator conviction ought to be made Rogers the postmaster-general has him to "make a big fellow of himself point justices of the peace in Hendertions entering into such conspicaries enough to partialy compensate solic- also cancelled their leaves of absence in the eyes of the nation." itors for the great work necessary in and issued instructions to them to resuch cases. A district prosecutor na- turn "immediately" to their respectsuch conspiracies criminal and to pre- turally shrinks from so ardnous a ive posts of duty.

scribe punishment for such conspira- task as the admittedly most difficult The postmaster-general's action duty of obeying the mandate of the law, and especially of enforcing it with President Roosevelt. under local conditions most unfavortives confront you: one to perform able to enforcement. Under such conditions each hopes another will SEVERE STORMS first test the law against the powerful SEVERE STORMS violator. Nearly two years have of faithful execution of a party first test the law against the powerful elapsed since the enactment of our last anti-trust law, and yet, so far as failure to do their will. You should I can learn, no action has been instituted under it.

I am, therefore, of the opinion that criticisms of legislative bodies rarely, after perfecting, as far as possible if ever, accomplish any desired pur- our anti-trust laws, declaring the offenses and prescribing the penalties. Failure to make such conspiracies, it is important and even essential, to

> Respectfully submitted, W. W. KITCHIN, Governor.

Port Eades, La., Feb. 10.-(By wire-

FARMERS WILL CONFEDERATES **CONSOLIDATE TO**

Anti-Trust Plank Was Not Put to argue its justice to any American The One Hundred Warehouses Georgia Camp of Confederate Bill Requires That All Parties of Georgia Effect Veterans and Others to Consolidation Be in Parade

Farmers' Union Announces That Consolidation of All the Cotton Warehouses Built by the Farmers of Georgia Has Been Effected. Management of These Enterprises Will lie Immediately Brought Under One Board of Directors-Will Centralize Control of Cetton Crop.

Atlanta, Feb. 16-President Chas. Barrett, of the Farmers' Union, announced today that a consolidation had been effected of the 100 cotton warehouses built by farmers' organizations in Georgia. The management of these enterprises will be immediately brought under one board directors. President Barrett stated that the work of organizing the farmers' warehouses in the other two-thirds of the states already having been organized.

The effect of this combination when ton crop of the country in the hands of the farmers.

CHARGES AGAINST CLERKS.

Employes Must Defend Them-

selves. (By Leased Wire to The Times) power and charged with the duty to of organizations of postal employes, integral part of the parade. thought the best that could be devis- of his selection, in any and all cases against allegations affecting postal ed. It became a law in all its essen- of violation of any of our anti-trust employes. Officials of the depart- Bingham will not be allowed to send and Soldiers' Home. tial features save one. The last con- laws, or any amendments to them, ment declined to divulge the names lature incorporated in its platform, prosecutions, on account of the fear leged attempts to influence legisla- fused to authorize a leave of absence, 1910. Judiciary.

one of enforcing a state anti-trust was taken after several conferences

Washington, Feb. 10-A storm

paratus in the gulf region is partly useless. For this reason the extent of the damage done is not yet

known. President-elect Taft and his party aboard the battleship North Carolina and the cruiser Montana, were river passes.

Commercial Silver.

(By Leased Wire to The Times) lars 44c., unchanged,

ELLIOTT'S BILL PROVIDES PLAN IN INAUGURAL **FOR ALL PARTIES**

Select Candidates for Office Same Day

Howard Taft and James S. Sherman Will be interesting and Instructive, it Will Be Hardly Less So Than the Parade of a Division of Former Confederate Veterans From Georgio, Which Has Been Invited to Come to Washington and Take Part in the Big Event.

(By Leased Wire to The Times) Washington, Feb. To The inaug-

camp of United Confederate Veterans in Georgia has been invited to come to Washington and take part in the cotton states was about concluded, big procession. Other camps in the south, including the famous Wheeler cavalry, of Atlanta, the members of bills, which is not a bad record. which wear the old-time war uniit is fully established, will be to cen- form of southern gray, are also plann-

There is a camp in Virginia, many members of which wear on occasions of parade their original Confederate gray jackets and slouched hats in which they received their baptism of Officers of Organization of Postal fire on the sanguinary battlefields of the south.

Should a sufficient number of Confederate camps decide to take part in Washington, Feb. 10-Acting on the inaugural ceremonies, a Confed-

Traffic Squad Can't Go.

(By Leased Wire to The Times) boundaries of the state.

missioner severely, declaring that the for the repeal of the state's homeham to "tickle his own vanity" and tional Amendment. that they did not propose to allow

(By Leased Wire to The Times.) Norfolk, Feb. 10.-The Maryland Trust Company, of Baltimore, has filed the United States court here a bill of senate. Senate Expenditures. asking a receiver for the properties of the Newport News and Old Point Rail- thorize Ramseur to issue bonds. Juway and Electric Company. The trust diciary. company is trustee under a \$4,000,000 bond Issue of the railway and electric The defendant company was cited to appear in the court on The sale of 2,000 and 3,000 shares of

also temporarily enjoined. The entire issue of common stock is held by W.

(By Leased Wire to The Times) New York, Feb. 10 .- Jennie Pepper, in the midst of a severe storm in the the six-year-old daughter of Isaac gulf last night. At a late hour, it is Pepper, who lives on the ground floor reported, they were taken aboard the at 219 east 21st street, saved the lives scout cruiser Birmingham, which is of a score of persons today when she traps on the lands of another. Game now anchored off the Mississippi awakened her father and told him Laws. the room was full of gas.

He opened the windows and rushed into another room, where his wife and four other children were sleeping, to

New York, Feb. 10 .- Commercial bar | He and his daughter rescued them. in the cellar.

to Authorize the Issuance of State University. Roads Maturing in 1910-One by Elliott to Require All Political Parties to Select Their Candidates County Line Primitive Baptist Asso-For Office the Same Day.

The most interesting feature of today's session was Governor Kitchin's tax fund. message urging the passage of a more stringent anti-trust law, calling for aration of William Boward Taft and sub-section A in no uncertain terms, urging the senate that the passage of the bill is an absolute necessity. He warned the legislature against rethan the parade of the division of pudiating the action of the demo-A cratic convention.

Senator Jones presided at a part of the session, dispatching business with ease and speed. In less than 45 minutes he (with the help of as good a reading-clerk as the senate ever had) disposed of 15 roll-call

The president announced the appolitiment of Mr. M. L. Moose as clerk to the committee on appropriations and the committee on propositions and grievances.

Rev. Dr. Shamburger led the senate in prayer at 11 o'clock. -The journal committee reported no

orrections to be made in the journal. Standing committees answered to the roll-call and various bills were placed on the calendar.

New Bills Today. New bills, petitions, etc., intro-

duced today as follows: Senator Long of Iredell: A petition from citizens of Iredell county relative to increased appropriations New York, Feb. 10-Commissioner for Confederate veterans. Pensions

150 of the members of the traffic S. B. 657, Senator Manning: An vention of the democratic party, with Where such laws are violated most, of those who made the complaints squad to Washington for the Taft in- act to authorize the issuance of state knowledge of the action of the legis- it may be difficult to have successful against the three men, because of al- augural parade. The aldermen re- bonds to pay state bonds maturing in

Senator Mills: Two petitions from The aldermen criticised the com- citizens of Rutherford county asking

> S. B. 660, Senator Ray: To apson county. Justices of the Peace. S. B. 661, Senator Barham: An act to require chemical examination in case of death where polson is sus-

pected. Revisal. S. B. 662, Senator Ray: To establish a graded school in a certain district ia Henderson county. Educa-

Senate Bill 663, Senator Ray: To hange boundaries of certain school districts in Henderson county. Edu-

to increase the pay of the chief page

S. B. 659, Senator Spence: To au-

S. B. 665, Senator Jones: To au- senate adjourned to meet tomorrow thorize town of Wake Forest to issue at 11 o'clock. bonds for improvements. Countles, Cities and Towns.

S. B. 666, Senator Jones (by request): To repeal a special tax in ROLLY WYATT, NEGRO S. B. 666, Senator Jones (by rethe common stock of the company was Wake Forest township. Education. S. B. 667, Senator Nimocks: An act to protect employees of common carriers. Judiclary.

> S. B. 668, Senator Barham: To provide for deficit at Goldsboro Insane Asylum. Insane Asylums. S. B. 669, Senator Mills: To incorporate the town of Bostic. Coun- Hearn and took Rolly Wyatt, a negro, ties, Cities and Towns.

S. B. 670, Senator Emple: idate certain ipstruments. S. B. 671, Senator Fry: To amend law relative to the Tuckasegee Rail- anticipated. road Co. Railroads.

S. B. 672, Senator Matthews: To prohibit the placing of dangerous Message From Governor.

claim of \$5,700 held by the heirs of is prominent.

COUNTY BOARD **EDUCATION BILL** A SPECIAL ORDER

D. L. Swain, against the University The executive committee decided that the claim is a just one and recom. the claim is a just one and recommend the payment of it.

The governor also sent a message riging the passage of sub-section A at

Passed Third Reading. The following bills passed their final reading:

To allow the city of Asheville to purchase their auditorium property. To continue charter of Edgecombe Railroad Company.

To make the state superintendent day Was One by Senator Manning of public instruction ex-officio a trus-

To prevent the sale of wine, beer lemonade, eigarettes, etc., at Lower

ciation in Person county. To allow commissioners of Onslov to use a certain surplus of a special

To allow the board of commission rs of Henderson county to replenish and protect the legal library of said county.

For relief of clerk of superior court of Montgomery county. To amend law relative to the ex-

ension of the time to compute, compromise and settle the state debt, For relief of P. G. McNell and Ambrose Clark, ex-sheriff of Ashe. For relief of Mrs. Emma A. How-

ard, administraters of ex-Sheriff Howard of Granville, allowing her to collect back taxes. For relief of certain patrons of Shoal Creek Graded School District

of Swain. To provide for working and mainenance of public roads in Cumber-

For relief of L. Middleton, exheriff of Robeson county.

For relief of J. H. Johnson, sheriff of Wilkes. To regulate the building of barb-

vire fences in certain counties. To provide for an election School District No. 1, in Columbus. ck-taxes by R. T. Kernodle, ex-

sheriff of Alamance. of Alexander, to collect back-taxes. erate veterans as to pensions. To incorporate Elizabeth Lodge,

No. 217, J. O. O. F., of North Caroboundary line in Wilkes.

To authorize trustees of Fremont Graded School to sell certain school Mr. Grant.

To amend law relating to graded school of Kernersville. Judicial District Bill.

Senator Barringer's bill to create a new judicial district comprised of the countles of Guilford and Alamance, which was made a special order for today, was taken up.

Senator Jones moved the previous table the motion, but his motion was of Chatham and Moore counties. lost. Senator Jones motion was carried. The bill was then passed on its in Stokes county, second reading by a vote of 19 to 21.

Unanimous consent was asked by of fidelity companies. Senator Shaw to introduce the fol-

An act to amend the charter of the town of Rodland. Corporations. Senators Barham and Doughton

S. B. 664, Senator Jones: An act were added to the committee on counties, citles and towns. Leave of absence was granted to

Senator Scott. On motion of Senator Spence the

LYNCHED AT HEARON

(By Leased Wire to The Times.) Dallas, Texas, Feb. 10.-An angry

mob early today broke into the jail at and lynched him. Wyatt yesterday shot Andrew Kessler, a railroad man. As several other negroes are implicated in the shooting more violence is

Many negroes have fled to the Brazos river bottoms.

Gets \$30,000 For Her Husband.

(By Leased Wire to The Times) A message was received from the here today awarded Mrs. Mamie Du- bly, reported unfavorably, with a governor transmitting the report of priest Silvey damages to the amount nority report. This later was take Hon. R. H. Battle, secretary of the of \$30,000 against Mrs. W. Baker up and Mr. Harshaw took the executive committee of the board of Silvey for abducting her husband and in favor of the minority report, trustees of the University as to a alienating his affections. The family ing in part, that it was at

the Right to Elect Its Own Board

DISCUSSION

Proceedings of the Thirty-first Day's Session of the House of Repres tatives - Representative Morton Presides—Morning Devotions Con-ducted by Representative John F. Latham of Beaufort County—Mr. Julian Wants to Change His Vote as to Amendment to Child Labor Bill-Petitions Read.

Thirty-first day's session of the house of representatives of the North Carolina general assembly was called to order at 10 o'clock this morning by Representative Morton, and the morping devotions were conducted by Representative Jno. F. Latham, of Beaufort county.

Mr. Morton vacated the chair, as he could not serve more than one day, and Mr. Doughton took the chair and Mr. Currie, of Cumberland, nominated Geo. L. Morton, of New Hanover, for speaker pro tem. On a call of the roll Mr. Morton received every vote cast, and was declared speaker pro tem, and on taking the chair the business of the ses-

sion was resumed. The committee on journal reported the proceedings of yesterday as cor-

rectly recorded. Mr. Julian asked if he could change his vote of yesterday as to the amendment to the child labor bill. The chair said if a roll call did affect the result he could; otherwise not.

The following petitions were read: To extend time for the collection of For justice in Cumberland; against no fence law in Brunswick; from citizens of Montgomery and Moore as To allow O. F. F. Poole, ex-sheriff to school; from Webb Camp Confed-

The call for reports from committees brought forth the usual number of bills of a local nature, reported district favorably or unfavorably, as the case

may be. Leave of absence was granted to

Mr. Dowd, for committee on rules, reported amendment on rule two, so as to change 11 a. m. to such hour as the house may designate.

Bills Introduced. By Rodwell: To appoint justices in Warren county. By Julian: To allow Salisbury to

By McDonald of Moore: To create question. Senator Nimocks moved to a special school tax district of a part By Fagg: To promote education

issue waterworks bonds.

By Underwood: Limiting liability By Everett: To change the name of Scotland to East Labrinburg.

By McRevitt: To establish a road working system in Madison. By Barnes of Johnston: To appoint justices for Johnston county. By Cox of Wake: To settle the estate of Gov. Swain as regards the

University. By Pickett: To prevent fraudulent packing of apples in the state. By Barnes of Hertford: To provide a system of working roads in

Hertford. By Wooten (three): To amend law as to election of trustees in Kinston. To amend law as to chief of police of Kinston. To amend the law

as to city clerk of Kinston, By Mitchell: To relieve R. L. Lin-

don, of Wayne. By Green: To incorporate the Pamilico and Neuse River Railway and Terminal Company. To repeal law as to stock in number of townships in Craven.

By Price: To incorporate Nebo in McDowell county. By Davis: To allow the governor

to appoint police in Rockingham The morning hour having expired, the chair laid before the house the bill made special order for the day. the bill to allow Cherokee county to elect its board and superintendent of education; also the bill requiring all county boards to be elected at same Decatur, Miss., Feb. 10-A jury time members of the general ass

(Continued on Second Page.)